REMARKS

Applicants first note that the Examiner has allowed claims 1-12. Therefore, further discussion with respect to these claims is moot. In addition, claim 13 has been amended, without adding new matter, to correct the informalities noted by the Examiner. Applicant requests the objection to claim 13 be withdrawn in light of the amendments.

Turning now to the rejections, the Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Krayeski in view of Hokkanen. The Examiner admits that Krayeski fails to teach or suggest any of the elements of claim 13, but asserts that Hokkanen does. The Examiner also theorizes that it would have been obvious to combine the references such that receiver malfunctions are more easily detected. However, the §103 rejection fails because Hokkanen teaches away from a combination with Krayeski, and the proffered combination actually renders Krayeski – the primary reference – unusable for its intended purpose.

Hokkanen teaches away from a combination with Krayeski. The fundamental goal of the primary reference, Krayeski, is to provide a special diagnostic mode to check antenna integrity. *Krayeski*, col. 1, ll. 31-37. To accomplish this goal, Krayeski cross-couples two co-located transceivers such that they may be used to test each other. In stark contrast, Hokkanen discloses a continuous traffic monitoring method specifically because it negates the need to enter a special diagnostics mode. *Hokkanen*, col. 1, ll. 46-55. Hokkanen continuously monitors the normal operation of two receivers as they receive traffic data from mobile terminals in the cell. These two teachings (i.e., enter a special diagnostic mode vs. do not enter a special diagnostics mode) are fundamentally incompatible and cannot be combined.

Further, the Hokkanen receivers are traffic receivers that must always be tuned to the same frequency. Indeed, the continuous traffic channel monitoring of Hokkanen necessarily requires that both receivers continue to receive signals from the mobile terminals they serve. Given this fact and Krayeski's fundamental goal, tuning the transceivers of Krayeski to the frequency of the mobile terminal transmitters as taught by Hokkanen would clearly prohibit the

system of Krayeski from entering the diagnostic mode -- the same mode it is designed to enter. Specifically, Krayeski places one of the transceivers in a constant transmit mode during diagnostics. *Krayeski*, col. 3, ll. 38-39. Krayeski than tunes the other cross-coupled transceiver exclusively to the same transmit frequency. *Krayeski*, col. 3, ll. 52-56. Because the cross-coupled transceiver is tuned to the transmit frequency of the transmitting transceiver, it cannot possibly be tuned to the transmit frequency of the mobile terminal. Thus, modifying the Krayeski receivers according to the teachings of Hokkanen means that both the Krayeski transceivers would always be busy monitoring the normal traffic channels. They would be unable to enter the diagnostic mode to test each other. Plainly, the resultant combination would render the Krayeski system unusable for its intended purpose.

Simply put, neither Krayeski nor Hokkanen, alone or in combination, teach or suggest claim 13.

The Examiner also rejected claims 16 and 24 over §103(a) citing the same references and similar reasons to those stated above for claim 13. Claim 16 differs from claim 13 only in that the signals received by the first and second transceivers need not be access requests. Claim 24 differs only in that an alarm is generated based on the comparison of the received access requests. However, both claims 16 and 24 contain language similar to that of claim 13. For reasons similar to those above, Krayeski and Hokkanen fail to teach or suggest, alone or in combination, claims 16 and 24.

Finally, the Examiner rejected claim 27 under 35 U.S.C. §103(a) over Krayeski in view of Hokkanen. For reasons similar to those stated above, neither Krayeski nor Hokkanen teaches or suggests, alone or in combination, claim 27. In addition, however, claim 27 also recites, "a first transceiver adapted to listen to access requests on a control channel in a remote cell." None of the transceivers of Krayeski or the receivers of Hokkanen listen to any signals other than those that originate in their respective local cells. Therefore, for this additional reason, neither Krayeski nor Hokkanen teaches or suggests, alone or in combination, claim 27.

In light of the amendments and foregoing remarks, Applicant respectfully requests the allowance of all pending claims.

Respectfully submitted,

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